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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,877	09/12/2003	George Bonar	132GB-001A	6949
7590	11/01/2005		EXAMINER NEGRON, ISMAEL	
Bradley N. Ruben, PC Suite 5A 463 First Street Hoboken, NJ 07030			ART UNIT 2875	PAPER NUMBER

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

EX

Office Action Summary

Application No.

10/660,877

Applicant(s)

BONAR, GEORGE

Examiner

Ismael Negron

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-14 is/are pending in the application.
- 4a) Of the above claim(s) 1-4 and 10-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5,6,8 and 9 is/are rejected.
- 7) ☒ Claim(s) 8 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on September 6, 2005 has been entered. Claim 5 has been amended. Claim 7 has been cancelled. No claim has been added. Claims 5, 6, 8 and 9 are still pending in this application, with claim 5 being independent.

Title

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: **Removable Headlamp for a Vehicle.**

Abstract

Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly

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those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

Applicant is further reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The

disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The abstract of the disclosure is objected to because it fails to concisely describe the subject matter of the invention, it refers to the purported merits or speculative applications of the invention, and it consists of more than one paragraph. Correction is required. See MPEP § 608.01(b).

Claim Objections

4. Claim 8 is objected to because of the following informalities: it is unclear if the limitation "*removable handle*" (line 2) refers to a new handle, in addition to the previously recited handle (in Claim 5, line 3), or if the objected claim merely defines the handle of Claim 5 as removable. The applicant is advised that in comparing the claimed invention to the Prior Art the Examiner assumed Claim 8 as further defining the previously claimed handle.

The cited informality does not amount to indefinitiveness under 35 U.S.C. 112, second paragraph, since is readily apparent from the specification and the drawings, that the claimed invention features only one handle. However, appropriate correction is required to place the claims in proper form for allowance.

The Examiner suggests amending Claim 8 to read: The lamp of claim 5, wherein the lamp further comprises a removable handle is removable.

5. Claim 9 is objected to because of the following informalities: it is unclear to what handle is the recitation "the handle" referring to since two handles were previously defined (e.g. "a handle" in Claim 5, "removable handle" in Claim 8). The applicant is advised that in comparing the claimed invention to the Prior Art the Examiner assumed Claim 8 as further defining the previously claimed handle, and Claim 9 to refer to such one handle.

The cited informality does not amount to indefiniteness under 35 U.S.C. 112, second paragraph, since is readily apparent from the specification and the drawings, that Claim 8 was meant to further limit the previously recited handle, and not to introduce a second handle. The proposed amendment to Claim 8 (see Section 4 above) will overcome the objection to Claim 9.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over SWAYNE (U.S. Pat. 2,671,848) in view of THOMAS (U.S. Pat. 4,819,139).

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7. SWAYNE discloses a vehicle illumination device having:

- **a lamp (as recited in Claim 5), Figure 1, reference number 22;**
- **the lamp having a handle (as recited in Claim 5), Figure 1, reference number 20;**
- **the lamp having a first electrical connection (as recited in Claim 5), Figure 5, reference number 36;**
- **the lamp being positioned and used as a headlamp (as recited in Claim 5), as seen in Figure 3;**
- **a rechargeable battery (as recited in Claim 5), Figure 5, reference number 43;**
- **the first electrical connection being to the rechargeable battery (as recited in Claim 5), as seen in Figure 5;**
- **the first electrical connection being for powering the lamp (as recited in Claim 5), column 3, lines 23-31;**
- **the lamp having a second electrical connection (as recited in Claim 5), Figure 5, reference number 37;**
- **the second electrical connection being to the vehicle electrical system (as recited in Claim 5), as seen in Figure 5;**
- **the battery having a separate electrical connection to the vehicle electrical system for recharging the battery (as recited in Claim 5), Figure 5, reference number 42;**

- **a first housing (as recited in Claim 5), Figure 1, reference number 22;**
- **the lamp being removable retained in the first housing (as recited in Claim 5), as evidenced by Figure 1;**
- **the lamp being removable for use as an emergency light (as recited in Claim 5), column 1, lines 26-33;**
- **a second housing (as recited in Claim 6), Figure 1, reference number 6;**
- **the second housing being attached to the body of the vehicle (as recited in Claim 6), as seen in Figure 1;**
- **the first housing joining the second housing (as recited in Claim 6), as seen in Figure 1;**
- **the lamp having a removable handle (as recited in Claim 8), Figure 1, reference number 20; and**
- **the first electrical connection running through the handle (as recited in Claim 9), column 3, lines 59-65.**

8. SWAYNE discloses all the limitations of the claims, except the rechargeable battery not being suitable for the vehicle's electrical system, a second rechargeable battery being used for that purpose (as recited in Claim 5).

9. THOMAS discloses a vehicle illumination device having:

- **a lamp (as recited in Claim 5), Figure 1, reference number 10;**

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- **the lamp having a handle (as recited in Claim 5), Figure 1, reference number 12;**
- **the lamp having electrical connections (as recited in Claim 5), as seen in Figure 3;**
- **a first rechargeable battery (as recited in Claim 5), Figure 3, reference numbers 44 and 45;**
- **the electrical connections being to the first rechargeable battery (as recited in Claim 5), as seen in Figure 3;**
- **the electrical connections being also to a vehicle's electrical system (as recited in Claim 5), Figure 3, reference numbers 20 and 21;**
- **the first rechargeable battery being suitable for powering the lamp (as recited in Claim 5), inherent;**
- **the first rechargeable battery not being suitable for the vehicle's electrical system (as recited in Claim 5), inherent;**
- **the lamp having a first electrical connection the first rechargeable battery (as recited in Claim 5), as seen in Figure 5;**
- **the lamp having a second electrical connection to the vehicle's electrical system (as recited in Claim 5), Figure 5, reference numbers 20 and 21;**

- **the battery having a separate electrical connection to the vehicle electrical system for recharging the battery (as recited in Claim 5), as seen in Figure 5;**
- **a first housing (as recited in Claim 5), Figure 1, reference number 17;**
- **the lamp being removable retained in the first housing (as recited in Claim 5), as evidenced by Figure 1; and**
- **the lamp being removable for use as an emergency light (as recited in Claim 5), column 1, lines 6-8.**

10. It would have been obvious to one of ordinary skill in the art at the time the claimed invention was made to include the rechargeable battery structure of THOMAS in the vehicle illumination device of SWAYNE to allow such device to be removed from its housing and being used around the vehicle without being restrained by power cables, as per the teachings of THOMAS.

Response to Arguments

11. Applicant's arguments filed September 6, 2005 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


13. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Negrón whose telephone number is (703) 308-6086. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 6:00 P.M.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea, can be reached on (703) 305-4939. The facsimile machine number for the Art Group is (571) 273-8300.

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15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) toll-free at 866-217-9197.



THOMAS M. SEMBER
PRIMARY EXAMINER



Ismael Negron
Examiner
AU 2875
October 28, 2005